

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

REBECCA KLUG,

Plaintiff,

v.

**Civil Action No.: 3:18-CV-00711
Judge Robert C. Chambers**

**MARSHALL UNIVERSITY
BOARD OF GOVERNORS,
and FARID B. MOZAFFARI, an individual,**

Defendants.

DEFENDANT FARID B. MOZAFFARI'S MOTION FOR SUMMARY JUDGMENT

Defendant, Farid B. Mozaffari (“Defendant”), by counsel, Perry W. Oxley, Esq., David E. Rich, Esq., Eric D. Salyers, Esq., and the law firm of Oxley Rich Sammons, PLLC, hereby files its Motion for Summary Judgment. Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Marshall University is entitled to summary judgment on the Plaintiff’s claims of the following: (1) sex discrimination under the West Virginia Human Rights Act (“WVHRA”), (2) disability discrimination under the WVHRA, and (3) Aiding and Abetting because the Plaintiff cannot show that subjected to harassment based on her sex, that the harassment was sufficiently severe or pervasive to create a hostile environment, or that Defendant Mozaffari acted fraudulently, maliciously, or oppressively. Moreover, the Plaintiff cannot show that she suffered from a disability or that this Defendant aided and abetted an unlawful discriminatory practice. No genuine issues of material facts exist with respect to the aforementioned issues. In support of its Motion, the Defendant files its Memorandum of Law contemporaneously herewith.

FARID B. MOZAFFARI,

By counsel

s/Eric D. Salyers

Perry W. Oxley (WVSB #7211)

David E. Rich (WVSB #9141)

Eric D. Salyers (WVSB #13042)

Oxley Rich Sammons, PLLC

517 9th Street, Suite 1000

Huntington WV 25701

304-522-1138

304-522-9528 (fax)

poxley@oxleylawwv.com

drich@oxleylawwv.com

esalyers@oxleylawwv.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

REBECCA KLUG,

Plaintiff,

v.

**Civil Action No.: 3:18-CV-00711
Judge Robert C. Chambers**

**MARSHALL UNIVERSITY
BOARD OF GOVERNORS,
and FARID B. MOZAFFARI, an individual,**

Defendants.

CERTIFICATE OF SERVICE

The undersigned counsel for Defendant, Farid B. Mozaffari, served the foregoing
“Defendant Farid B. Mozaffari’s Motion for Summary Judgment” by electronically filing a true
copy of the same with the Clerk of the Court using the CM/ECF system on this **9th day of April,
2021:**

Kristina Thomas Whiteaker
David L. Grubb
The Grubb Law Group
1114 Kanawha Boulevard, East
Charleston, WV 25301
Counsel for Plaintiff, Rebecca Klug

s/Eric D. Salyers

Perry W. Oxley (WVSB #7211)
David E. Rich (WVSB #9141)
Eric D. Salyers (WVSB # 13042)